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10/678,390

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Kenneth J. Artis

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EXAMINER

LIU, CHIA-YI

ART UNIT

PAPER NUMBER

3692

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



<b>Office Action Summary</b>	<b>Application No.</b> 10/678,390	<b>Applicant(s)</b> ARTIS, KENNETH J.	
	<b>Examiner</b> CHIA-YI LIU	<b>Art Unit</b> 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 3 Oct 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-42 and 44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 and 44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |



### **DETAILED ACTION**

Claims 1-42 and 44 are presented for examination. Applicant filed an amendment on 2/14/2008 amending Claims 14, 18, 31 & 35, cancelling Claim 43 and adding Claim 44. Upon careful consideration of Applicant's amendment and arguments, the Examiner withdraw the rejection of claims 1-42 and establishes new grounds of rejection for claims 1-42 and 44 as set forth in detail below.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-42 and 44 are rejected under 35 U.S.C. 103(a) as being anticipated by Camelio (US 2004/0015427) in view of Weichert (US 7,003,493 B2), further in view of Pittelli (US 2002/0198763 A1) and further in view of Official Notice.

As per Claim 1

Camelio ('427) teaches purchases of benefits relating to a work (purchase rights for particular work), see paragraph 0002, lines 12-15, and the work is an undeveloped creative work (uncompleted creative work), see paragraph 0049, lines 6-9, but fails to explicitly disclose a processing handling routine for receiving and processing requests for the purchases. Official Notice is taken that it is old and well known to receive and



process requests for purchases. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include a processing handling routine for receiving and processing requests for purchases. One would be motivated to do so, for the benefit of giving interested parties the opportunity to request for purchase and have their requests be processed, thereby allowing artists to collect finance for their works faster.

Camelio ('427) teaches a storage medium (webpage) for storing user information (patron information), see paragraph 0165 , lines 1-2, 5-10 and Fig 51 and collecting information on creative works in a database, see paragraph 0184, lines 4-5, but fails to explicitly disclose associating the patron information to the undeveloped creative work selected by the user. Official Notice is taken that it is old and well known to link information together. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include associating the patron information to the undeveloped creative work selected by the user. One would be motivated to do so, for the benefit of linking patrons with the creative work they invested in so that the artists can find out who support their project.

Camelio ('427) teaches patron information may be accessed (made available), see paragraph 0165 lines 1-5, and the patron's information includes email, see Fig 15, but fails to explicitly disclose facilitating electronic notification of patrons associated with a particular undeveloped creative work concerning availability of their purchased benefits, or upon the condition that the predefined target threshold amount is not attained. Pittelli ('763) teaches the predefined target threshold amount is not attained (fails to meet funding milestone/does not obtain the level of predefined support), see paragraph 0030, lines 21-23 and paragraph 34, lines 20-21. Official Notice is taken that it is old and well known in the art to notify people news concerning their investments/benefits. Both Camelio and Pittelli are directed toward obtaining financing from interested individuals to produce a work. Therefore, the Examiner asserts that it



would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include facilitating electronic notification of patrons associated with a particular undeveloped creative work concerning availability of their purchased benefits, or upon the condition that the predefined target threshold amount is not attained. One would be motivated to do so for the benefit of keeping patrons updated on the progress of the work and changes associated with their benefits.

Camelio ('427) teaches an accounting routine that aggregates monetary amounts (money) in a locked account (placed in escrow) and that the monetary amount (capital) is turned over to the artist, see paragraph 0144, lines 1-6, and is for use in development of the undeveloped creative work (new project), see paragraph 0145, lines 1-3.

Camelio ('427) teaches releases (capital turned over to artist) all or a portion of the aggregated monies (see paragraph 0144, lines 5-6) to facilitate completion of the undeveloped creative work (new project), see paragraph 0145, lines 1-3, but fails to explicitly disclose the monetary amount is released when a predefined target threshold amount is attained. Weichert ('493) teaches the monetary amount is released when a predefined target threshold amount is attained (funds can be held in the account until a threshold amount is crossed that would trigger an automated payout), see column 13, lines 43-46. Both Camelio and Weichert are directed toward fund transfer system. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include the monetary amount is released when a predefined target threshold amount is attained. One would be motivated to do so, for the benefit of allowing artists to use fund to start on a project when a predetermined financial goal is reached.

As per Claim 2.

Camelio ('427) further discloses means for disseminating to user-interactive



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devices (ArtistShare) presentation information relating to one or more undeveloped creative works, see paragraph 0107, lines 3-6 and paragraph 0080, lines 2-3, 11-15.

As per Claim 3.

Camelio ('427) further discloses a web server coupled to a storage medium (database) having stored thereon one or more web pages containing the presentation information (information of creative works), see paragraph 0047, lines 3-6, and paragraph 0052, lines 4-6.

As per Claim 4

Camelio ('427) further discloses software instructions for executing steps whereby the presentation information is downloaded to remote computerized machines (PDA, personal computer) configured to allow a plurality of different potential patrons to review the presentation information, see paragraph 0169, lines 11-12, paragraph 0087, lines 3-4, paragraph 0081, lines 23-27.

As per Claim 5

Camelio ('427) further discloses software instructions for execution on a remote patron computer and data files comprising at least a portion of said presentation information, see paragraph 0087, lines 3-4 and paragraph 0082.

As per Claim 6

Camelio ('427) further discloses presentation information (artist's creations) exists in static medium (CD), wherein said form on a printed or magnetic see paragraph 0085, lines 11-14, and paragraph 0187, lines 24-31.



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As per Claim 7

Camelio ('427) further discloses the process handling routine receives electronic payment information from the patron electronically (Internet payment) from user-interactive devices and automatically provides the electronic payment information to said accounting routine for aggregation with other received funds, see paragraph 0087, lines 10-15.

As per Claim 8

Camelio ('427) teaches purchases of benefits relating to a work (purchase rights for particular work), see paragraph 0002, lines 12-15, and the work is an undeveloped creative work (uncompleted creative work), see paragraph 0049, lines 6-9, and storing user information (patron information) and email, see paragraph 0165, lines 1-2, 5-10 and Fig 51, but fails to explicitly disclose a process handling routine collects patron information including the name of the patron and the patron's e-mail address, and associates the patron information with the undeveloped creative work and the purchased benefits. Official Notice is taken that it is old and well known to link information together. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include a process handling routine collects patron information including the name of the patron and the patron's e-mail address, and associates the patron information with the undeveloped creative work and the purchased benefits. One would be motivated to do so, for the benefit of linking patrons with their purchased benefits so they can easily find out what their benefits are.

As per Claim 9

Camelio ('427) further discloses benefit redemption routine uses the patron's email address to notify the patron concerning the availability of the patron's



purchased benefit or that the predefined target threshold amount was not attained, see Claim 1 above.

As per Claim 10

Camelio ('427) further discloses the purchased benefit comprises a copy (downloadable recording of final project) of or discount relating to the creative work, see paragraph 0120, lines 6-8.

As per Claim 11, 29.

Camelio ('427) does not specifically disclose a discount relating to merchandise or service relating to the creative work, other than the creative work itself. Pittelli teaches discounts on merchandise associated with the artist (relating to creative work, other than creative work itself) see paragraph 0021, lines 16-19. Both Camelio and Pittelli are directed toward obtaining financing from interested individuals to produce a work. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include a discount relating to merchandise or service relating to the creative work, other than the creative work itself. One would be motivated to do so for the benefit of attracting fans to financially contribute to the development of artists.

As per Claim 12, 30

Camelio ('427) does not specifically disclose a copy of or discount on a creative work different from the undeveloped creative work or to other merchandise or services unrelated to the undeveloped creative work, Pittelli teaches discount to other services (concert), see paragraph 0021, lines 16-19. Both Camelio and Pittelli are directed toward obtaining financing from interested individuals to produce a work. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include a copy of or



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discount on a creative work different from the undeveloped creative work or to other merchandise or services unrelated to the undeveloped creative work. One would be motivated to do so for the benefit of attracting people to financially contribute to the undeveloped work.

As per Claim 13

Camelio ('427) further discloses data in the storage medium is updated to include presentation information relating to in-progress development (project status, process) or completion of the creative work (finish date, release date), see figure 8.

As per Claim 14

Camelio ('427) further discloses the updated presentation information comprises audio, image and/or [visual] video data of the creative work, see paragraph 0171 and 0172 and Fig. 32.

As per Claim 15

Camelio ('427) further discloses an update notification routine having access to the patron information, stored in the storage medium, for facilitating automatic electronic notification of patrons associated with a particular undeveloped creative work concerning the updated presentation information, see paragraph 0165, lines 1-2, paragraph 0145 lines 1-4, and paragraph 0160, lines 3-5 and Claim 1 above.

As per Claim 16

Camelio ('427) further discloses the purchased benefit comprises digital data (CD) relating to the creative work, and wherein a patron may obtain the purchased



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benefit electronically by accessing the computerized system and requesting electronic transmission of the digital data to a patron's computer, paragraph 0146, lines 1-4.

As per Claim 17, 42

Camelio ('427) does not specifically disclose benefit redemption routine electronically transmits a key number to said patrons, which may be used by said patrons to redeem the purchased benefit online and/or at a point-of-sale location.

Official Notice is taken that it is old and well known in the coupon redemption arts to have numbers on coupons for redemption, for example, electronic coupons, for identification of the redemption offer and the associated products.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a number to redeem benefits online. One would be motivated to do so for the benefit of allowing patrons to more easily and conveniently redeem their benefits.

As per Claim 18

Camelio ('427) discloses:

providing presentation information concerning an undeveloped creative work, see paragraph 0107, lines 3-4 and Fig. 8

Camelio ('427) teaches purchases of benefits relating to a work (purchase rights for particular work), see paragraph 0002, lines 12-15, and the work is an undeveloped creative work (uncompleted creative work), see paragraph 0049, lines 6-9, but fails to explicitly disclose receiving and processing requests for the purchases. Official Notice is taken that it is old and well known to receive and process requests for purchases. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include receiving and processing requests for purchases. One would be motivated to do so, for the benefit of giving interested parties the opportunity to request for purchase and have



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their requests be processed, thereby allowing artists to collect finance for their works faster.

Camelio ('427) teaches storing user information (patron information), see paragraph 0165 , lines 1-2, 5-10 and Fig 51 and collecting information on creative works in a database, see paragraph 0184, lines 4-5, but fails to explicitly disclose associating the patron information to the undeveloped creative work. Official Notice is taken that it is old and well known to link information together. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include associating the patron information to the undeveloped creative work. One would be motivated to do so, for the benefit of linking patrons with the creative work they invested in so that the artists can find out who support their project

Camelio ('427) teaches all or a portion of the aggregated monies is released from the locked account, see paragraph 0144, lines 1-6, to facilitate completion of the undeveloped creative work (new project), see paragraph 0145, lines 1-3.

Camelio ('427) teaches releases (capital turned over to artist) all or a portion of the aggregated monies (see paragraph 0144, lines 5-6) to facilitate completion of the undeveloped creative work (new project), see paragraph 0145, lines 1-3, but fails to explicitly disclose the monetary amount is released when a predefined target threshold amount is attained. Weichert ('493) teaches the monetary amount is released when a predefined target threshold amount is attained (funds can be held in the account until a threshold amount is crossed that would trigger an automated payout), see column 13, lines 43-46. Both Camelio and Weichert are directed toward fund transfer system. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include the monetary amount is released when a predefined target threshold amount is



attained. One would be motivated to do so, for the benefit of allowing artists to use fund to start on a project when a predetermined financial goal is reached.

Camelio ('427) teaches patron information may be accessed (made available), see paragraph 0165 lines 1-5, and the patron's information includes email, see Fig 15, but fails to explicitly disclose automatically electronically notifying the patrons associated with the undeveloped creative work concerning attainment of the predefined benefits if the predefined target amount was attained. Pittelli ('763) teaches the predefined target threshold amount is attained (meets a predefined set of milestone), see paragraph 0030, lines 21-23. Official Notice is taken that it is old and well known in the art to notify people news concerning their investments/benefits. Both Camelio and Pittelli are directed toward obtaining financing from interested individuals to produce a work. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include automatically electronically notifying the patrons associated with the undeveloped creative work concerning attainment of the predefined benefits if the predefined target amount was attained. One would be motivated to do so for the benefit of keeping patrons updated on the progress of the work and information concerning their benefits.

Camelio ('427) fails to explicitly disclose if the predefined target amount it was not attained, a refund and/or substitute benefit relating to a different creative work is available. Pittelli ('763) teaches if the predefined target threshold amount is not attained (fails to meet funding milestone/does not obtain the level of predefined support) a refund is available, see paragraph 0030, lines 21-23 and paragraph 34, lines 20-21. Both Camelio and Pittelli are directed toward obtaining financing from interested individuals to produce a work. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include if the predefined target amount it was not attained, a refund and/or substitute benefit relating to a different creative work is available. One would be



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motivated to do so for the benefit of allowing patrons/supporters to get their money back if the creative work does not reach enough financing to be produced.

As per Claim 19

Camelio ('427) further discloses displaying presentation information about the undeveloped creative work at a computerized device in response to a patron request entered via the computerized device, paragraph 0080, lines 2-4, 11-15.

As per Claim 20

Camelio ('427) further discloses patron request is received electronically over a distributed network from a remote patron computer (PDA, personal computer), see paragraph 0081, lines 20-27.

As per Claim 21

Camelio ('427) further discloses electronically disseminating presentation information relating to one or more undeveloped creative works to a remote user-interactive device (ArtistShare), paragraph 0080, lines 2-4, 11-15, and paragraph 0081, lines 23-27.

As per Claim 22

Camelio ('427) further discloses presentation information is electronically disseminated by a web server coupled to a storage medium having stored thereon one or more web pages containing the presentation information (information of creative works), see paragraph 0047, lines 3-6, and paragraph 0052, lines 4-6.

As per Claim 23



Camelio ('427) further discloses step of providing information related to an undeveloped creative work comprises the step of storing, on a portable storage medium readable at a remote patron computer (PDA), software instructions for execution on the remote patron computer and data files comprising at least a portion of said presentation information, see paragraph 0087, lines 3-4, paragraph 0081, lines 23-27 and paragraph 0082

As per Claim 24

Camelio ('427) further discloses presentation information exists in static form on a printed or portable [[magnetic]] electronic storage medium (CD), see paragraph 0085, lines 11-14, and paragraph 0187, lines 24-31.

As per Claim 25

receiving electronic payment (internet payment) information from the patron, see paragraph 0087, lines 10-15.

As per Claim 26

Camelio ('427) teaches collecting patron information including the name of the patron and the patron's e-mail address, see paragraph 0165, lines 1-2, 5-10 and Fig 51, and purchasing of benefits relating to a work (purchase rights for particular work), see paragraph 0002, lines 12-15, and the work is an undeveloped creative work (uncompleted creative work), see paragraph 0049, lines 6-9, but fails to explicitly disclose associating the patron information with the undeveloped creative work and the purchased benefit. Official Notice is taken that it is old and well known to link information together. Therefore, the Examiner asserts that it would have been obvious for one of



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ordinary skill in the art at the time the invention was made to modify Camelio's invention to include

associating the patron information with the undeveloped creative work and the purchased benefit. One would be motivated to do so, for the benefit of linking patrons with their purchased benefits so they can easily find out what their benefits are.

As per Claim 27

Camelio ('427) teaches patron information may be accessed (made available), see paragraph 0165 lines 1-5, and the patron's information includes email, see Fig 15, but fails to explicitly disclose facilitating electronic notification of patrons associated with a particular undeveloped creative work concerning availability of their purchased benefits, or upon the condition that the predefined target threshold amount is not attained. Pittelli ('763) teaches the predefined target threshold amount is not attained (fails to meet funding milestone/does not obtain the level of predefined support), see paragraph 0030, lines 21-23 and paragraph 34, lines 20-21. Official Notice is taken that it is old and well known in the art to notify people news concerning their investments/benefits. Both Camelio and Pittelli are directed toward obtaining financing from interested individuals to produce a work. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include facilitating electronic notification of patrons associated with a particular undeveloped creative work concerning availability of their purchased benefits, or upon the condition that the predefined target threshold amount is not attained. One would be motivated to do so for the benefit of keeping patrons updated on the progress of the work and changes associated with their benefits.

As per Claim 28



Camelio ('427) further discloses predefined benefit comprises a copy of (downloadable recording of final project) or discount relating to the creative work, see paragraph 0120, lines 6-8

As per Claim 31

Camelio ('427) further discloses allowing selective access by patrons purchasing predefined benefits relating to the undeveloped creative work to updated or additional presentation information relating to in-progress development or completion of the creative work, see paragraph 0145, lines 3-5, and paragraph 0140.

As per Claim 32

Camelio ('427) further discloses updated or additional presentation information comprises audio, image and/or [[visual]] video data relating to in-progress development (project status, process) or completion of the creative work (finish date, release date), see figure 8, and paragraph 0172.

As per Claim 33

Camelio ('427) further discloses electronically notifying patrons associated with a particular undeveloped creative work concerning the updated or additional presentation information, see paragraph 0145 lines 1-4, and paragraph 0160, lines 3-5.

As per Claim 34

Camelio ('427) further discloses receiving through electronic means a request from a patron to obtain the predefined benefit; and electronically transmitting (download) the digital data to a remote patron computer (PDA), see paragraph 0087, lines 3-4 and paragraph 0085, lines 1-6, and paragraph 0081, lines 23-27.



As per Claim 35

Camelio ('427) discloses:

an administrative transaction handler for receiving and storing visual and/or audio information, see paragraph 0172, the visual/audio information is related to the artist, see paragraph 0161, lines 2-4, and that the artist wants to exchange entitlement related to uncompleted creative work in exchange for capital, see paragraph 0049, lines 8-9, but fails to explicitly disclose the visual/audio information is about undeveloped creative works. Official Notice is taken that it is old and well known to receiving information regarding a person (In this case, information regarding uncompleted work associated with the artist). Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include the visual/audio information is about undeveloped creative works. One would be motivated to do so for the benefit of allowing the artists to advertise about their uncompleted creative work so that more people will know about the opportunity of financing.

a patron transaction handler for conveying the visual and/or audio information to remote computerized devices over an electronic network for presentation to potential patrons, see paragraph 0161, and paragraph 0081, lines 23-27

Camelio ('427) teaches purchases of benefits relating to a work (purchase rights for particular work), see paragraph 0002, lines 12-15, and the work is an undeveloped creative work (uncompleted creative work), see paragraph 0049, lines 6-9, but fails to explicitly disclose patron transaction handler processing requests received over the electronic network from the remote computerized devices for purchases. Official Notice is taken that it is old and well known to receive and process requests for purchases over electronic network from computer device. Therefore, the Examiner asserts that it would



have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include patron transaction handler processing requests received over the electronic network from the remote computerized devices for purchases. One would be motivated to do so, for the benefit of giving interested parties the opportunity to request for purchase and have their requests be processed, thereby allowing artists to collect finance for their works faster.

Camelio ('427) teaches a storage medium (webpage) for storing user information (patron information), see paragraph 0165 , lines 1-2, 5-10 and Fig 51 and collecting information on creative works in a database, see paragraph 0184, lines 4-5, but fails to explicitly disclose associating the patron information to the undeveloped creative work selected by the user. Official Notice is taken that it is old and well known to link information together. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include associating the patron information to the undeveloped creative work selected by the user. One would be motivated to do so, for the benefit of linking patrons with the creative work they invested in so that the artists can find out who support their project.

Camelio ('427) teaches an accounting routine that aggregates monetary amounts (money) from the patrons in a locked account (placed in escrow) and that the monetary amount (capital) is turned over to the artist, see paragraph 0144, lines 1-6, and is for use in development of the undeveloped creative work (new project), see paragraph 0145, lines 1-3.

Camelio ('427) teaches patron information may be accessed (made available), see paragraph 0165 lines 1-5, and the patron's information includes email, see Fig 15, but fails to explicitly disclose automatically transmits an electronic notification upon attainment of a predefined target amount. Pittelli ('763) teaches the predefined target threshold amount is attained (meets a predefined set of milestone), see paragraph



0030, lines 21-23. Official Notice is taken that it is old and well known in the art to notify people news concerning their investments/benefits. Both Camelio and Pittelli are directed toward obtaining financing from interested individuals to produce a work. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include automatically transmits an electronic notification upon attainment of a predefined target amount. One would be motivated to do so for the benefit of keeping patrons updated on the progress of the work and information concerning their benefits.

Camelio ('427) teaches releases (capital turned over to artist) all or a portion of the aggregated monies (see paragraph 0144, lines 5-6) to facilitate completion of the undeveloped creative work (new project), see paragraph 0145, lines 1-3, but fails to explicitly disclose the monetary amount is released when a predefined target threshold amount is attained. Weichert ('493) teaches the monetary amount is released when a predefined target threshold amount is attained (funds can be held in the account until a threshold amount is crossed that would trigger an automated payout), see column 13, lines 43-46. Both Camelio and Weichert are directed toward fund transfer system. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include the monetary amount is released when a predefined target threshold amount is attained. One would be motivated to do so, for the benefit of allowing artists to use fund to start on a project when a predetermined financial goal is reached.

Camelio ('427) teaches patron information may be accessed (made available), see paragraph 0165 lines 1-5, and the patron's information includes email, see Fig 15, but fails to explicitly disclose facilitating electronic notification of patrons associated with a particular undeveloped creative work concerning availability of their purchased benefits, or upon the condition that the predefined target threshold amount is not attained. Pittelli ('763) teaches the predefined target threshold amount is not attained (fails to meet funding milestone/does not obtain the level of predefined support), see paragraph 0030, lines 21-23 and paragraph 34, lines 20-21. Official Notice is taken



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that it is old and well known in the art to notify people news concerning their investments/benefits. Both Camelio and Pittelli are directed toward obtaining financing from interested individuals to produce a work. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include facilitating electronic notification of patrons associated with a particular undeveloped creative work concerning availability of their purchased benefits, or upon the condition that the predefined target threshold amount is not attained and if it was not that the predefined target amount was not attained. One would be motivated to do so for the benefit of keeping patrons updated on the progress of the work and changes associated with their benefits.

As per Claim 36

Camelio ('427) further discloses patron transaction handler is configured to transmit to the remote computerized devices an identification of a plurality of categories of creative works, and to cause visual and/or audio information to be presented to users concerning only those undeveloped creative works in one or more categories interactively selected by the user, see paragraph 0085, lines 1-6 (audio and video file management)

As per Claim 37

Camelio ('427) further discloses categories include one or more of motion pictures, television productions, books, musical works, sculptural works, or still image visual works, see paragraph 0083, lines 7-8.

As per Claim 38

Camelio ('427) further discloses



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means for adding and associating with particular creative works updated or additional audio and/or visual presentation information relating to in- progress development of the creative work, see paragraph 0161, lines 2-4.

means for providing selective access to the updated or additional audio and/or visual presentation information for patrons having purchased predefined benefits relating to the creative work, see paragraph 0145 lines 3-4, and paragraph 0139.

As per Claim 39

Camelio ('427) further discloses predefined benefit comprises a copy (downloadable recording of final project) of or discount relating to the creative work, see paragraph 0120, lines 6-8 and paragraph 0125.

As per Claim 40

Camelio ('427) further discloses predefined benefit comprises digital data (CD) relating to the creative work, and wherein said benefits processing engine comprises means for transmitting the digital data to a patron at the patron's request, paragraph 0146, lines 1-4.

As per Claim 41

Camelio ('427) does not specifically disclose transmitting to said patrons a digital coupon that is redeemable electronically at an online website. Official Notice is taken that it is old and well known in the coupon redemption arts to have online coupon for identification of the redemption offer and the associated products. Therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a coupon to redeem benefits online. One would be



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motivated to do so for the benefit of allowing patrons to redeem benefits more easily and conveniently.

As per Claim 44

Camelio ('427) further discloses the undeveloped creative work is a motion picture, see Claim 10 of Camelio, and enable contributing fan (patrons) to be listed as a "producer" of the project of the artist, see paragraph 0111, lines 3-5, but fails to explicitly disclose patrons who contributed funding for the motion picture are listed in the credits in distributed copies of the completed motion picture. Official Notice is taken that it is old and well known in the art that producers are listed in the credits in copies of completed motion picture. Therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Camelio's invention to include patrons who contributed funding for the motion picture are listed in the credits in distributed copies of the completed motion picture. One would be motivated to so do, for the benefit giving fans more motives to finance in the projects.



***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHIA-YI LIU whose telephone number is (571)270-1573. The examiner can normally be reached on Mon-Thur alternating Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KAMBIZ ABDI can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner  
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